



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,690	08/29/2003	Akemi Kurumatani	018987-053	7695

21839 7590 01/25/2006

BUCHANAN INGERSOLL PC  
(INCLUDING BURNS, DOANE, SWECKER & MATHIS)  
POST OFFICE BOX 1404  
ALEXANDRIA, VA 22313-1404

EXAMINER

SINGH, RACHNA

ART UNIT PAPER NUMBER

2176

DATE MAILED: 01/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/650,690

Applicant(s)

KURUMATANI, AKEMI

Examiner

Rachna Singh

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>08/29/03</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is responsive to communications: Application filed 08/29/03, IDS filed 08/29/03.
2. Claims 1-20 are pending. Claims 1, 7, 15, 17, and 19-20 are independent claims.

### ***Information Disclosure Statement***

3. The information disclosure statement (IDS) submitted on 08/29/03 is being considered by the examiner.

### ***Priority***

4. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 6-9, and 14-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamalainen et al., US 2003/006284 A1, 03/27/03 (filed 03/19/01).

In reference to claims 1, 7-9, and 15, Hamalainen teaches a method and system for providing interactive question-based applications over a communication network. Hamalainen discloses storing information specifying questions and answers in a first data unit and actions specifying how questions should be presented to users in a

second data unit. The first and second data units are logically separate data units and are modified independently of each other. See page 1, paragraph [0011]. The first and second data units are defined in Extensible Markup Language (XML). See page 3, paragraphs [0036]-[0038]. Hamalainen further teaches XSLT for transforming XML documents into other XML documents. XSLT is designed for use as part of XSL, which is a stylesheet language for XML. See page 3, paragraph [0039]. Compare to ***“an XML storage section which stores therein, in XML format, management information that relates to a managed device, the management information including a first group and second group of information”***. Figure 7 of Hamalainen illustrates selecting two content data elements corresponding to two unasked questions from a DDL data unit, applying the XSLT file corresponding to the user terminal to the selected content data elements to obtain presentable information and sending the presentable information to a user terminal. Compare to ***“a first XSLT storage section which stores therein, in XSLT format, a first style sheet that is used for displaying the first group of information; a first transmission section which transmits the management information and the first style sheet, when receiving from a terminal device a transmission request of data used for displaying the first group of information”***. Figure 7 further illustrates waiting for an answer, collecting answers, constructing a DDL block containing the content data elements and answers relating to the content data elements, applying the XSLT file to the DLL block to obtain presentable information and presenting the information to the user terminal. Compare to ***“a second XSLT storage section which stores therein, in XSLT format, a second style sheet***

***that is used for displaying a second group of information; a second transmission section which transmits the management information and the second style sheet, when receiving from a terminal device a transmission request of data used for displaying the second group of information”.***

Hamalainen does not expressly state “management information”; however, Hamalainen teaches an interactive question-based application over a communication network. Hamalainen discloses storing information specifying questions and answers in a first data unit and actions specifying how questions should be presented to users in a second data unit. Management information is described as information related to each type of device. Hamalainen’s application includes rules specifying how presented material should be treated for display on different types of terminals in order to simplify the creation of questionnaires and delivery to different terminals. See abstract and figure 3. It would have been obvious to a person of ordinary skill in the art at the time of the invention to interpret Hamalainen’s rules specifying how presented material should be treated for display on different types of terminals as management information because it is information regarding a managed device as defined by Applicant’s specification.

In reference to claims 6 and 14, Hamalainen teaches on page 4, paragraph [0044]-[0045], that some content data and action data can be changed by selecting the content data elements without any compilation or restart of the application software.

In reference to claims 16-20, Hamalainen teaches a method and system for providing interactive question-based applications over a communication network.

Art Unit: 2176

Hamalainen discloses storing information specifying questions and answers in a first data unit and actions specifying how questions should be presented to users in a second data unit. The first and second data units are logically separate data units and are modified independently of each other. See page 1, paragraph [0011]. The first and second data units are defined in Extensible Markup Language (XML). See page 3, paragraphs [0036]-[0038]. Hamalainen further teaches XSLT for transforming XML documents into other XML documents. XSLT is designed for use as part of XSL, which is a stylesheet language for XML. See page 3, paragraph [0039]. Compare to ***“a storing step of storing, in XML format, the management information to an XML storage section, the management information being classified into at least a first group and second group of information, each group of information being stored in a different file from one another;”*** Figure 7 of Hamalainen illustrates selecting two content data elements corresponding to two unasked questions from a DDL data unit, applying the XSLT file corresponding to the user terminal to the selected content data elements to obtain presentable information and sending the presentable information to a user terminal. Compare to ***“a first transmission step of, when receiving from a terminal device. . .the first group of information and a style sheet. . .transmitting the first XML file and the style sheet, that have been read;”***. Figure 7 further illustrates waiting for an answer, collecting answers, constructing a DDL block containing the content data elements and answers relating to the content data elements, applying the XSLT file to the DLL block to obtain presentable information and presenting the information to the user terminal. Compare to ***“a second transmission***

***step of, when receiving from a terminal device a transmission request of data. .  
.and transmitting the read second XML file”.***

Hamalainen does not expressly state “management information”; however, Hamalainen teaches an interactive question-based application over a communication network. Hamalainen discloses storing information specifying questions and answers in a first data unit and actions specifying how questions should be presented to users in a second data unit. Management information is described as information related to each type of device. Hamalainen’s application includes rules specifying how presented material should be treated for display on different types of terminals in order to simplify the creation of questionnaires and delivery to different terminals. See abstract and figure 3. It would have been obvious to a person of ordinary skill in the art at the time of the invention to interpret Hamalainen’s rules specifying how presented material should be treated for display on different types of terminals as management information because it is information regarding a managed device as defined by Applicant’s specification.

7. Claims 3-5 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamalainen et al., US 2003/006284 A1, 03/27/03 (filed 03/19/01) in view of Alleshouse, US 2005/0150953 A1, 07/14/05 (provisional filed on 01/04/02).

In reference to claims 3 and 11, Hamalainen does not teach the first and second group are classified according to updating frequency of management information. Alleshouse teaches the RFID transponder specifies the structure of the data to be encoded such as transmit frequency, receive frequency, data storage capacity, data

Art Unit: 2176

addressing scheme, transmit frequency, receive frequency, proprietary features such as serial numbering and data locking, and the like. See page 11, paragraph [0100]. It would have been obvious to a person of ordinary skill in the art at the time of the invention to implement Alleshouse's updating frequency information regarding data in the first and second groups of Hamalainen as it helps determine the prescribed frequency range for transmitting signals.

In reference to claims 4 and 12, Hamalainen does not teach the first and second group are classified according to frequency of usage of management information. Alleshouse teaches the RFID transponder specifies the structure of the data to be encoded such as transmit frequency, receive frequency, data storage capacity, data addressing scheme, transmit frequency, receive frequency, proprietary features such as serial numbering and data locking, and the like. See page 11, paragraph [0100]. It would have been obvious to a person of ordinary skill in the art at the time of the invention to implement Alleshouse's updating frequency information regarding data in the first and second groups of Hamalainen as it helps determine the prescribed frequency range for transmitting signals.

In reference to claims 5 and 13, Hamalainen teaches the first data unit and second data unit are stored separately in order to simplify creation and delivery to different terminals over different communication networks. Alleshouse teaches the RFID transponder specifies the structure of the data to be encoded such as transmit frequency, receive frequency, data storage capacity, data addressing scheme, transmit frequency, receive frequency, proprietary features such as serial numbering and data



locking, and the like. See page 11, paragraph [0100]. It would have been obvious to a person of ordinary skill in the art at the time of the invention to implement Alleshouse's updating frequency information regarding data in the first and second groups of Hamalainen as it helps determine the prescribed frequency range for transmitting signals.

8. Claims 2 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamalainen et al., US 2003/006284 A1, 03/27/03 (filed 03/19/01) in view of Sorvari et al., US 2004/0043758 A1, 03/04/04 (filed 08/29/02)

In reference to claims 2 and 10, Hamalainen does not teach a state detection section which determines the state of the image. Sorvari teaches a system for providing context sensitive recommendations to digital services where context related information is transmitted within a wireless device. The context state includes a description of the environment of the wireless device at the present time. And includes information relating to sensor signals input from the sensors at the current time. See page 7, paragraphs [0084]-[0087]. It would have been obvious to a person of ordinary skill in the art at the time of the invention to implement Sovari's context state determination in Hamalainen's system in order to organize and present data in accordance with the preference instructions. See abstract.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bauernschmidt et al. US 2004/0168115

Art Unit: 2176

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachna Singh whose telephone number is 571-272-4099. The examiner can normally be reached on M-F (8:30AM-6:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RS  
01/18/06

*William F. Bashore*  
**WILLIAM BASHORE**  
**PRIMARY EXAMINER**  
*1/22/2006*